

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LOTES CO., LTD.)	
)	
Plaintiff,)	
v.)	12-cv-7465 (SAS)
)	
)	ECF Case
HON HAI PRECISION INDUSTRY CO. LTD.;)	
FOXCONN INTERNATIONAL HOLDINGS LTD.;)	
FOXCONN INTERNATIONAL, INC.; FOXCONN)	
ELECTRONICS, INC.; and FOXCONN (KUNSHAN))	
COMPUTER CONNECTOR CO., LTD.)	ORAL ARGUMENT REQUESTED
Defendants.)	
)	

**DEFENDANT FOXCONN INTERNATIONAL HOLDINGS LTD.'S
MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISMISS**

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Counsel for Foxconn International Holdings Ltd.

Defendant Foxconn International Holdings Ltd. (“FIH”) hereby submits this memorandum of law in support of its motion to dismiss the First Amended Complaint, dated December 21, 2012 (Docket Entry # 23) (the “FAC”).

FIH is an indirectly wholly-owned subsidiary of Defendant Hon Hai Precision Industry Co., Ltd. (“Hon Hai”). On January 11, 2013, Hon Hai, Defendant Foxconn International, Inc. (“Foxconn International”) and Defendant Foxconn Electronics, Inc. (“Foxconn Electronics”) filed and served a joint Notice of Motion to dismiss the FAC (Docket Entry # 24) and accompanying Memorandum of Law in support of their motion (Docket Entry # 25) (the “Joint Memorandum”). On March 11, 2013, Hon Hai, Foxconn International, and Foxconn Electronics filed and served a joint Reply in support of their motion (Docket Entry # 35) (the “Joint Reply”).

On or about February 14, 2013, FIH was served, pursuant to the Hague Convention, with the summons and complaint in this action dated October 4, 2012.

FIH hereby adopts as its own all of the arguments and authority set forth in the Joint Memorandum and the Joint Reply. The arguments and authority in the Joint Memorandum and the Joint Reply apply with equal force to FIH with respect to the grounds on which the Court should grant FIH’s motion to dismiss.

Accordingly, for all of the reasons and authority set forth in the Joint Memorandum and the Joint Reply, Defendant FIH respectfully requests that the Court grant its motion to dismiss the FAC in its entirely for failure to state any claim upon which relief can be granted.

Dated: April 15, 2013
New York, New York

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

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CERTIFICATE OF SERVICE

I, the undersigned counsel for Defendant Foxconn International Holdings Ltd. do hereby certify that I have on this 15th day of April, 2013, served the within document by causing a copy thereof to be sent electronically to the registered participants in this case, if any, as identified on the Notice of Electronic Filing (NEF) and paper copies mailed, first class mail, postage prepaid to any non-registered participants in this case.

/s/ Thomas J. Lang

Thomas J. Lang